

From: [Michael Dell'Angelo](#)
To: ["Jodi Tesser"](#)
Cc: [Barry Temkin](#); [Josh Ripley](#); [Michael Kane](#); ["Matthew S. Weiler"](#)
Subject: RE: FXCM
Date: Friday, June 5, 2020 12:02:46 PM

Jodi:

Thank you for letting me know. As discussed, we remain open to a substantive discussion regarding Plaintiffs' position which we went to great pains to detail in our March 27, 2020 letter, at your request. We never received a substantive response to that letter. In our subsequent telephone conversation, you ticked off a few entries that you believe warrant further scrutiny, but have not lined those up with the entries that we discuss in our letter. Therefore, as I told you today – repeating what I have told you a number of times before, we still have no way of evaluating FXCM's position beyond its demand that it be paid for everything. I was disappointed to learn today – for the first time – that FXCM intends to seek compensation for additional fees that it did not previously identify and for which it has never provided us with the time records. It appears that we will learn the breadth of FXCM's position and the substantive basis for it, for the first time, along with the Court when FXCM's files its motion. That is particularly disappointing and problematic because, as I understand it, FXCM now intends to seek compensation for preparing its forthcoming motion which will include an explanation of the bases for its request that FXCM has not shared with Plaintiffs over these many months. Had it done so, more of the fees FXCM will be seeking might have been avoided altogether and without troubling the court.

We remain available to engage in a substantive meet and confer in an attempt to resolve this matter without court intervention.

Best regards,

Michael

From: Jodi Tesser <JTesser@moundcotton.com>
Sent: Friday, June 5, 2020 11:22 AM
To: Michael Dell'Angelo <mdellangelo@bm.net>
Cc: Barry Temkin <barry.temkin@gmail.com>
Subject: FXCM

Hi Michael:

Further to our conversation today, we will be e-filing the pre-motion letter shortly.

Regards,

Jodi S. Tesser
Special Counsel

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